

FTW/



PATENT  
ATTORNEY DOCKET: 46884-5516

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Akimasa TANAKA	)	Confirmation No.: 5256
	)	
Application No.: 10/594,619	)	Group Art Unit: 2814
	)	
Filed: September 19, 2007	)	Examiner: Diana C. Garrity
	)	
For: SEMICONDUCTOR LIGHT DETECTING	)	
ELEMENT AND MANUFACTURING	)	
METHOD THEREOF	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Winder, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the document listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

A Chinese Office Action that issued on May 9, 2008 in a Chinese patent application and having documents cited therein is attached for the Examiner's consideration.

While the Chinese Office Action dated May 9, 2008 additionally cites to WO 03/041174

08/06/2008 JPD001 00000009 10594619  
01 EC:1006 180.00 OP

and Japanese Patent Application Laid-Open No. H3-104287, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Information Disclosure Statement in this application on September 28, 2006.

The relevance of the attached foreign language document can be understood at least from the attached English-language abstract, and/or from the citation of the document in the attached Chinese Office Action dated May 9, 2008.

Applicant respectfully requests that the Examiner consider the listed document and evidence that consideration by making appropriate notation on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required and

including any required extension of time fees, *or* credit any overpayment to Deposit Account

No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**

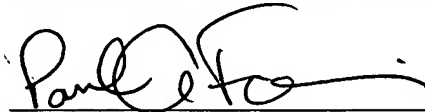
**EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

Dated: August 5, 2008

By:



Paul A. Fournier

Registration No. 41,023

**Customer No. 055694**

**DRINKER, BIDDLE & REATH LLP**

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800

Fax: (202) 842-8465